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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,074	11/21/2001	Gernot M. Hirse	22750/503	1487

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EXAMINER

COLE, LAURA C

ART UNIT	PAPER NUMBER
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1744

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DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,074

Applicant(s)

HIRSE, GERNOT M.

Examiner

Laura C Cole

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Page 6 Line 4, it appears that "10" is intended to be "11" as describing the water drain grooves, not the free edge.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Decoopman et al., USPN 5,483,720.

Decoopman discloses a sponge mop that comprises a mop made out of an absorbent material (Figures 1, 2, and 4 (4)), a mop frame having a center carrier piece attached to a handle (Figure 2 (50)), two mop carrier wings (Figures 1, 2, and 4 (12) and (13)) pivotably (pivotally) mounted by a hinge edge (Column 10 Lines 10-13; Figure 2), the wings having inner surfaces which carry the mop (Figures 1-4) and can be pressed against each other by way of squeezing (Column 6 Line 66 to Column 7 Line 3), and wherein at least one of two side edges extending from the hinge edge is slanted towards the opposite side edge (Figures 3 and 4, the edge extending from the hinge edge, shown by (A) or (A'), illustrated at the bottom of the figure extends towards the

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opposite edge that extends from the hinge edge) forming a trapezoid *without* an included right angle.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Courtney et al., USPN 5,896,613.

Courtney et al. discloses a floor mop that comprises a mop made of an absorbent material (Figures 1-4 (28)), a mop frame including a central carrier piece (Figures 1-4 (22)), two mop carrier wings (Figures 1-4 (18) and (20)), each wing pivotably mounted by a hinge edge (Column 2 Lines 44-49; Figure 5 (24) and (26)), the carrier wings having inner surfaces which carry the mop (Column 2 Lines 48-49) and are pressed together by squeezing (Column 2 Lines 51-54), wherein one of the side edges extending from the hinge edge is slanted toward the opposite side edge (Figure 1, the one edge that is slanted toward the opposite edge would be the edge that forms a tip when it is not in the squeezing position, and the opposite edge is (92)). Further each wing forms a trapezoid with an included right angle (Figure 1, the trapezoid is formed by the hinge edge that is below the center carrier piece, the slanted edge, the opposite edge (92), and the edge (80); the right angle being formed between the hinge edge and the opposite edge (92) or between the opposite edge (92) and the edge (80)) and the larger base line of the trapezoid would be the hinge edge (Figure 1).

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Johnson, USPN 4,893,369.

Johnson discloses a hand-held utensil for surface cleaning that comprises a mop made of an absorbent material (Figures 1-3 (5)), a mop frame including a central carrier

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piece (Figures 1-3 (1B)) attached to a handle (through the wings), two mop carrier wings (Figures 1-3 (1A) and (1C)), each wing pivotably mounted by a hinge edge (Column 3 Lines 43-47; Figure 1 (2)), the carrier wings having inner surfaces which carry the mop (Column 3 Lines 38-42) and are pressed together by squeezing (Column 3 Lines 49-53), wherein one of the side edges extending from the hinge edge is slanted toward the opposite side edge (Column 4 Lines 5-13).

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kieson et al., USPN 5,625,918.

Kieson et al. discloses a wringer mop that comprises a mop made of an absorbent material (Figures 1-3 (75)), a mop frame including a central carrier piece (Figures 3-4 (52)), two mop carrier wings (Figures 1-5 and 7; Column 4 Line 65 to Column 5 Line 2), each wing pivotably mounted by a hinge edge (Column 4 Lines 59 - 65), the carrier wings having inner surfaces which carry the mop (Column 4 Lines 27-36) and are pressed together by squeezing (Column 5 Lines 40-50, rollers wring downward on the wings), wherein one of the side edges extending from the hinge edge is slanted toward the opposite side edge (the hypotenuse of the triangle shown in Figures 1-5 and 7). The mop carrier wing forms a triangle (Figures 1-5 and 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney et al., USPN 5,896,613 in view of Tillinghast, USPN 3,271,804.

Courtney et al. disclose all elements above however do not disclose water drain grooves.

Tillinghast discloses a sponge mop and wringer that is made of an absorbent material (Figures 1, 4, and 5 (28) and (29)), a center carrier piece (Figure 4 (23)) attached to handle (Figure 1(35)), two mop carrier wings (Figures 1, 4, and 5 (21) and (22)), each wing pivotably mounted by a hinge edge (Figure 4 (23) is part of the hinge forming an edge), the carrier wings having inner surfaces that carry the mop (Column 2 Lines 2-8) and can be pressed together by way of squeezing (Figure 3.) Tillinghast does not disclose a side edge that is slanted. Tillinghast further discloses that each mop carrier wing has an interior surface having water drain grooves (Figure 1 (27); Column 1 Line 72 to Column 2 Line 2) that run toward its side edges that arranged parallel to one another (Figure 1), and run at a 180° angle to the hinge edge.

It would have been obvious for one of ordinary skill in the art to modify the plates of Courtney et al. to have the water drain grooves that Tillinghast teaches so as to better wring water from a sponge or absorbent material.

7. Claims 1, 2, and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillinghast, USPN 3,271,804 in view of Courtney et al., USPN 5,896,613.

Tillinghast and Courtney et al. disclose all elements above however Tillinghast does not disclose a slanted edge.

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It would have been obvious for one of ordinary skill in the art to modify Tillinghast by having a slanted edge instead of a straight edge of one of the carrier wings as Courtney et al. teaches so that the mop may have better cleaning access between corners or other difficult to reach crevices that need cleaning.

8. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kieson et al., USPN 5,625,918 in view of Tillinghast, USPN 3,271,804.

Kieson et al. disclose all elements above however do not disclose water drain grooves. Tillinghast discloses all elements above.

It would have been obvious for one of ordinary skill in the art to modify the plates of Kieson et al. to have the water drain grooves that Tillinghast teaches so as to better wring water from a sponge or absorbent material.

9. Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillinghast, USPN 3,271,804 in view of Kieson et al., USPN 5,625,918.

Tillinghast and Kieson et al. disclose all elements above however Tillinghast does not disclose a slanted edge.

It would have been obvious for one of ordinary skill in the art to modify Tillinghast by having a slanted edge instead of a straight edge of one of the carrier wings as Kieson et al. teaches so that the mop may have better cleaning access between corners or other difficult to reach crevices that need cleaning.

10. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney et al., USPN 5,896,613 in view of Bagley, Jr., USPN 2,663,039.

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Courtney et al. disclose all elements above however do not disclose water drain grooves.

Bagley, Jr. discloses a sponge mop and wringer that is made of an absorbent material (Figures 2-3 (12)), a center carrier piece (Figures 1-2 (10)) attached to handle (Figure 1 (16)), two mop carrier wings (Figures 1-3 (2) and (4)), each wing pivotably mounted by a hinge edge (Figures 1-3 (10) is part of the hinge forming an edge), the carrier wings having inner surfaces that carry the mop (Column 2 Lines 21-22) and can be pressed together by way of squeezing (Column 1 Lines 17-24.) Bagley, Jr. does not disclose a side edge that is slanted. Bagley Jr. further discloses that each mop carrier wing has an interior surface having water drain grooves (Figure 1 (14); Column 3 Lines 11-13) that run toward its side edges that arranged parallel to one another (Figure 1), and run at a 180° angle to the hinge edge.

It would have been obvious for one of ordinary skill in the art to modify the plates of Courtney et al. to have the water drain grooves that Bagley, Jr. teaches so as to better wring water from a sponge or absorbent material.

11. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kieson et al., USPN 5,625,918 in view of Bagley, Jr., USPN 2,663,039.

Kieson et al. disclose all elements above however do not disclose water drain grooves. Bagley, Jr. discloses all elements above.

It would have been obvious for one of ordinary skill in the art to modify the plates of Kieson et al. to have the water drain grooves that Bagley, Jr. teaches so as to better wring water from a sponge or absorbent material.

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Allowable Subject Matter

12. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (703) 305-7279. The examiner can normally be reached on Monday-Thursday, 7am - 4:30pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on (703) 308-2920. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-8772 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

LCC

LCC

June 27, 2003

Robert J. Warden, Sr.

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